

**BYLAW 24-18
BEING A BYLAW OF THE TOWN OF OKOTOKS
IN THE PROVINCE OF ALBERTA
REGARDING PROVISION OF A WATER UTILITY
IN AND FOR THE TOWN OF OKOTOKS**

WHEREAS pursuant to the provisions of the *Municipal Government Act*, Statutes of Alberta, RSA 2000 and amendments thereto, Council may pass a Bylaw for the purpose of provision and regulation of a water utility within the Town of Okotoks;

NOW THEREFORE the Council of the Town of Okotoks enacts as follows:

1. SHORT TITLE

This Bylaw may be known as “The Water Bylaw”.

2. DEFINITIONS

In this Bylaw, unless the context otherwise requires:

- 2.1 **automated irrigation system** means an irrigation system that is not manually operated.
- 2.2 **billing period** means a period of any two months as determined by the CAO.
- 2.3 **bulk water** means water that is provided to a customer through part of the water system but not through a service connection.
- 2.4 **Chief Administrative Officer** means the person appointed to the position of chief administrative officer for the Town of Okotoks, by Council within the meaning of the *MGA*.
- 2.5 **Council** means the municipal council of the Town of Okotoks, means the Mayor and Councillors duly elected pursuant to the provisions of the *Local Authorities Election Act*.
- 2.6 **cross connection** means an actual or potential connection between the water system and any other system or source of pollution or contamination, whether temporary or permanent.
- 2.7 **cross connection control device** means a device approved by the CAO to protect the water system from the reverse flow of water from the customer’s plumbing system.

- 2.8 **cross connection control devices, testable** means:
- a) Double check valve type assemblies (DCVA); or
 - b) Reduced pressure principle type assemblies (RP); or
 - c) Pressure vacuum breaker assemblies (PVB/SRPVB).
- 2.9 **customer** means any person who receives water or water related services from the Town.
- 2.10 **customer, commercial** means the owner or occupant of:
- a) Any commercial establishment; or
 - b) A dwelling unit containing a commercial establishment other than a home occupation;
- where the property is connected to the water system.
- 2.11 **customer, residential** means the owner or occupant of a residence containing one or more dwelling units that are connected to the water system where the total water consumption is measured by one water meter.
- 2.12 **indoor water conservation measures** means water efficient and low flow plumbing, fixtures and appliances as defined in Appendix A.
- 2.13 **master control valve** means the water valve within a customer's house or building, usually located near the water meter or point of entry of the private water service, which, when closed, does not allow the flow of water to continue.
- 2.14 **"Municipal Government Act"** means the *Municipal Government Act*, R.S.A. 2000, Chapter M-26 any regulations thereunder, and any amendments or successor legislation thereto.
- 2.15 **occupant** means:
- a) An owner of a premises where that owner resides or carries on a business within a premises; or
 - b) A person who:
 - i. Resides in the premises; or
 - ii. Carries on a business within a premises;
- Either as a lessee or pursuant to a licence of occupation;
- Where that premises is connected to the water system.

2.16 **outdoor water use** means the use of water outside of the building by customers, occupants and/or owners for the purposes of:

- a) Watering gardens, trees, shrubs, lawns;
- b) Applying pesticides or fertilizer in a manner that requires water;
- c) Filling of any outdoor pools, hot tubs or similar uses;
- d) Washing of vehicles, sidewalks, driveways or garage floors;
- e) Filling of any fountains, ponds, or other decorative features;
- f) Washing of exterior windows, siding or stucco on buildings;
- g) Conducting any other outdoor water activity similar in nature to the foregoing;

or any other outdoor watering purposes.

2.17 **owner** means a person:

- a) Who is registered under the *Land Titles Act* as the owner of a parcel of land;
- b) Who is recorded as the owner of a property on the tax assessment roll of the Town;
- c) Who has purchased or otherwise acquired a parcel of land, whether purchased or otherwise acquired the land directly from the owner or from another purchaser, and has not yet become the registered owner thereof;
- d) Holding out as the person having the powers and authority of ownership of a property or premises or who for the time being exercises the powers and authority of ownerships;
- e) Controlling a property or premises under construction, or
- f) Who is the occupant of a property or premises pursuant to a rental or lease agreement, license, or permit.

2.18 **person** means an individual, a corporation or any other legal entity.

2.19 **premises** means any land, building or part of a building supplied with water by the Town.

2.20 **premises-isolating device** means a cross connection control device installed on the customer's private service connection coming into the premises, prior to the connection of:

- a) Any branch lines which distribute the water to more than one water line within the premises; and
- b) Any plumbing fixture.

- 2.21 **reasonable notice** means a period of 72 consecutive hours unless otherwise specified.
- 2.22 **service connection** means the portion of water service that extends from the water main to a customer's dwelling or building for the purpose of providing water to a customer. It includes the private service connection and the Town's service connection.
- 2.23 **service connection, private** means the portion of the service connection, bounded by the property line or boundary of an easement or right of way granted to the Town, and which runs to the customer's dwelling or building and up to the water meter.
- 2.24 **service connection, Town** means the portion of the service connection which runs from the water main to the private service connection and it includes the water service valve and the water meter.
- 2.25 **Town** means the municipal corporation of the Town of Okotoks.
- 2.26 **utility bill** means a customer's billing statement for Town utilities.
- 2.27 **water** means potable water originating from the water system.
- 2.28 **water main** means the Town's water pipe in a public roadway, utility right of way or easement granted to the Town, which forms part of the water system and which provides water to customer's through service connections.
- 2.29 **water meter** means any device approved by the CAO which is designed to measure the quantity of water used by a customer, and which may or may not incorporate a remote reading device.
- 2.30 **water related services** means any service provided in relation to the provision of water.
- 2.31 **water service charge** means the charge on a customer's utility bill relating to their water consumption over a billing period and it includes a base rate and consumptive rates.
- 2.32 **water shortage events** means periods when there are limitations on the water supply or the water system and triggers established in the Water Shortage Response Plan have been or are expected to be reached.

2.33 **Water Shortage Response Plan** means an operational plan used by the Town to respond to water shortage events.

2.34 **water service valve** means the water valve on the service connection, installed for the purpose of enabling the Town to turn on or off the water supplied to a customer's premises.

2.35 **water system** means the entire infrastructure owned by the Town for the purpose of the collection, production, treatment, storage, supply, and distribution of water to customers, or any part of any such works.

3. ADMINISTRATION

3.1 Continuation of Water System

The Town shall continue, so long as there is sufficient plant capacity and sufficient supply of water available to the Town, to supply water to any premises within the Town that directly abuts any roadway, utility right of way or easement containing a water main:

- a) Where a service connection currently exists to that premises; and
- b) Where a service connection does not currently exist, upon a written request by the owner, occupant or other person in charge of the premises;

In accordance with the terms and conditions as set out in this bylaw.

3.2 Responsibilities of Town

Where a service connection is continued or initiated pursuant to this bylaw, The Town shall supply water to the premises, subject to the terms and conditions contained in this bylaw.

3.3 Alternate Water Supply

3.3.1 No owner or occupant of premises abutting any public roadway, easement or utility right of way containing a water main shall use any alternate source of water supply other than the water system without the prior written consent of the CAO.

3.3.2 The CAO may consent to the use of an alternate source of water supply subject to such terms and conditions as deemed necessary and, notwithstanding the generality of the foregoing, may limit the period of time for which an alternate supply of water may be used.

3.3.3 No person who has been given permission to use an alternate source of water supply shall allow that source to be connected either directly or indirectly to the water system, or allow any cross connection to occur between the alternate source of water supply and the water system.

3.3.4 Notwithstanding the foregoing provisions of this Section 3.3, the CAO's consent is not required for a person collecting rainwater and utilizing the collected water for the limited purposes of outdoor water use; so long as the rainwater collection system is not connected to the water system in any way.

3.4 Responsibilities of Customer

3.4.1 Where a service connection is continued or initiated pursuant to this bylaw, the customer shall be responsible, at their own expense, for:

- a) Providing and maintaining the private service connection;
- b) Ensuring that the connection referred to in subsection a) is in compliance with all applicable provisions of this bylaw;
- c) Ensuring that the connection referred to in subsection a) and the remainder of the customer's plumbing system and where installed includes a pressure reducing valve complies with the *Safety Codes Act* (R.S.A. 2000, c. S-1) and any regulations passed pursuant to that Act;
- d) Ensuring that any permits, inspections or approvals required pursuant to the *Safety Codes Act*, regulations passed pursuant to that Act, any bylaw or any other applicable legislation have been conducted or obtained and are valid and subsisting, prior to connection to the water system;
- e) Ensuring that the private service connection and the remainder of the customer's plumbing system is maintained in a state of good repair with sufficient protection from freezing, free of leakage or other water loss; and
- f) Ensuring that such connection does not interfere with the operation of the water system;
- g) Ensuring the safekeeping of the water meter and any remote reading device that may be installed with the water meter on the owner's premises; and
- h) Protecting the water meter and connecting valves and pipes from freezing, excessive heat, overheating of water, and external and internal damage of any kind or any other thing which may affect the operation or reading of the water meter.

- 3.4.2 If a customer fails or refuses to comply with Section 3.4.1 the CAO may:
- a) Turn off the water service valve until the repairs have been made to stop or prevent water loss;
 - b) If water has been lost, estimate the volume of water loss and invoice the customer for that amount of water estimated to have been lost, and such payment shall become due and payable upon demand being made; and
 - c) If damage has occurred to a water meter, invoice the customer for the cost of repairing or replacing the water meter as is necessary in the sole discretion of the Town.

- 3.4.3 Where water has been shut off pursuant to Section 3.4.2, the CAO may refuse to turn the water service valve back on until the customer has delivered proof that the necessary repairs have been made and that the customer has paid for any water service charges and water related services that were provided.

3.5 Requirement for Indoor Water Conservation Measures

- 3.5.1 All applications for plumbing in new or retrofit/renovation applications shall demonstrate on plan drawings the use of water conservation measures to the satisfaction of the CAO.
- 3.5.2 The Occupancy Permit shall not be issued until the water conservation measures and a water meter inspection have been demonstrated through a physical inspection or otherwise to the satisfaction of the CAO.
- 3.5.3 Every person responsible for the construction of:
- a) New residential construction, regardless of the number of dwelling units contained in a structure;
 - b) New industrial, commercial and institutional construction; and
 - c) Any renovation project regarding a residential, industrial, commercial or institutional structure that requires a plumbing permit;
- must ensure that all plumbing fixtures and appliances installed in that construction or renovation are to the requirements of the water conservation measures, as defined in Appendix A of this bylaw.
- 3.5.4 Notwithstanding the obligations and prohibitions in Section 3.5.3, the CAO may, in writing, allow the installation of plumbing fixtures and appliances not to the specifications of the water conservation measures as defined in Appendix A of this bylaw.

3.6 Applications

In making an application pursuant to this bylaw no person shall give false information.

3.7 Liability for Loss or Damages

3.7.1 The Town shall not be liable for damages or loss suffered by any person due to the operation of the water system, unless shown to be directly due to the negligence of the Town, its employees or designated agent, and without limiting the generality of the foregoing, shall not be liable for damages or loss:

- a) For the settlement of the backfill from any excavation or trench made for the installation or repair of any part of the water system, or any damage or loss resulting from such settlement;
- b) Caused by a break or malfunction of the water system;
- c) Caused by the disruption of the water system when such disruption is necessary in connection with the repair or maintenance; or
- d) Caused by the disruption or cutting off of the water system in the event of an emergency.

3.8 Rates and Fees

3.8.1 Council may set rates and fees for all customers including the following:

- a) Water service charges;
- b) Late payment penalties and collection fees;
- c) Water meter supply, installation, and inspection;
- d) Water related services including but not limited to: water service shut-off, water service reconnection and water meter testing;
- e) Construction water fees; and
- f) Bulk water fees.

3.8.2 Rates and fees set by Council pursuant to Section 3.8.1 above are set out annually in the Fees, Rates and Charges Bylaw, and may be amended from time to time by Bylaw of Council as they deem necessary.

3.8.3 No reduction in rates will be made to a customer's utility bill for water supplied to or made available for use by any customer because of any interruption due to any cause whatsoever of the supply of water by the Town, nor shall any customer withhold payment of any fees under this bylaw due to any interruption in the supply of water by the Town.

3.8.4 No reduction in rates will be made to a customer's utility bill for water supplied to any customer because of any intentional or unintentional use or misuse of water by the customer.

3.9 Billing and Collection of Fees

3.9.1 The CAO may establish a system for the billing and collecting of the rates, charges, fees and penalties set by Council annually in the Fees, Rates and Charges Bylaw.

3.9.2 An owner shall pay, when due, any invoices received from the Town pursuant to the billing system established herein.

3.9.3 Any amount outstanding past the date due as specified on the invoice shall be subject to late payment interest fee as set out in the annual Fees, Rates and Charges Bylaw.

3.9.4 The following provision shall apply with respect to unpaid water utility accounts:

- a) In case of default of payment of any municipal water utility account ninety (90) days after the day upon which payment is due or payable, the amount will appear as "arrears" on the subsequent billing. If the "arrears" remains unpaid five (5) business days from the day upon which payment is due or payable, the CAO may levy a \$20.00 (twenty dollars) fee for notice to enforce payment.
- b) If any municipal water utility account showing an arrears balance remains unpaid ten (10) business days from the day that notice was issued to the property owner, an administrative charge of \$50.00 (fifty dollars) shall be added to the outstanding municipal utility account and the balance of that municipal utility account shall then be transferred to the property tax account of the property owner, with notice of such action being sent to the property owner of record.
- c) Non-receipt of a utility bill will not exempt the owner from payment for the services received.

3.9.5 Monies owing pursuant to this bylaw and still outstanding pursuant to section 3.9.4 shall constitute a preferential lien and charge on the premises and the personal property of the owner, and may be added to the tax roll for the premises and collected in the same manner municipal taxes are recoverable.

- 3.9.6 Where the Town has agreed to supply water to a premises on the request of an occupant other than the owner of the premises, all sums payable by the occupant pursuant to this bylaw are a debt due and owing to the Town and shall constitute a Preferential Lien and charge on the occupant's personal property and may be levied and collected with costs by distress.
- 3.9.7 For any customer who wishes to discontinue water supply to a premises, the following rules shall apply:
- a) The customer must give a minimum reasonable notice in writing to the CAO requesting that the Town shut off the water supply;
 - b) Where the discontinuance of the water supply has been requested in writing there shall be a shutoff fee as set out in the annual Fees, Rates and Charges Bylaw;
 - c) If notice pursuant to subsection a) is not given, the customer will be liable for any accruing rates and charges until such time as proper written notice is given, and will also be liable for any and all damages suffered or sustained by the Town caused by the customer's failure to give notice.
- 3.9.8 Any bulk water sales shall at all times be subject to the discretion of the CAO and shall be at rates as determined as set out in the annual Fees, Rates and Charges Bylaw.
- 3.10 Installation and Operation of Meters and Service Connections**
- 3.10.1 For all water service connections of any size to any buildings it is the customer's responsibility to provide a suitable site for a water meter in a horizontal setting near the point of entry of the water service connection and inside the building, in accordance with the Town's General Design and Construction Specifications. The Town shall not be required to provide water service if the customer fails to make available a site acceptable to the Town.
- 3.10.2 All water meters supplied by the Town shall at all times be the property of the Town. Payment of an installation fee or other fee does not constitute a sale.
- 3.10.3 The water meter and readout are to be installed and made operational by the Town in a location and manner as approved by the CAO.
- 3.10.4 A customer applying for connection to the water system shall pay an installation fee established annually by the Fees, Rates and Charges Bylaw.
- 3.10.5 The Town may charge for and recover from the customer the cost of supplying installing, altering, repairing, relocating or removing a water meter or remote readout. Any such charges may be collected in the same manner as water rates.

- 3.10.6 The customer shall pay the additional costs for supplying and installing water meters where the installation as approved by the CAO requires a fire service type water meter or other special type of water meter. Notwithstanding the payment of such additional costs, the water meter shall remain the property of the Town.
- 3.10.7 All water meters and remote readouts shall be supplied, installed, maintained, repaired, tested and replaced by the Town unless otherwise approved in writing by the CAO. The CAO may from time to time or at any time authorize an individual firm or corporation to install, maintain, repair and replace water meters on behalf of the Town.
- 3.10.8 Notwithstanding Section 3.10.1, the CAO may permit one or more pipelines or classes of pipelines used for private fire protection to operate unmetered provided that in the event of a fire, the Fire Chief shall estimate the amount of water used and where the estimate is in excess of 30 cubic meters, the Fire Chief shall deliver their estimate to the CAO and the CAO shall establish as if the use of water were bulk water the water service charge based upon the annual Fees, Rates and Charges Bylaw. The customer shall be liable for and shall pay such charge upon being invoiced.
- 3.10.9 If a customer wishes to install other metering, piping or valving arrangements:
- a) Prior to installation, the customer shall apply in writing, complete with drawings, to the CAO for approval;
 - b) Any such installation shall be at the customer's sole responsibility and expense. The Town shall accept no responsibility for such installation, and the approval by the CAO shall not be an acceptance of responsibility. The CAO may in their sole judgment require the customer to indemnify the Town prior to installation of other metering, piping or valve arrangements;
 - c) If, after installation, an inspection indicates the installations have not been carried out in accordance with the approved drawings, the customer shall correct or modify the installation at their expense in order to comply with the approved drawings; and
 - d) If the customer does not make the installation in the manner approved by the Town, the Town shall have the right to refuse to supply water to the premises until the installation is corrected.

- 3.10.10 A customer, with the prior approval in writing of the CAO, may install at their own risk and expense a private water meter or meters to register subdivision of the main incoming water supply. If additional meters are installed:
- a) Such additional meters shall be installed on the downstream side of the water meter supplied and installed by the customer at their sole expense;
 - b) The CAO may in their sole judgment as part of their approval require the customer to indemnify the Town prior to installation of additional water meters; and
 - c) The customer shall be responsible for reading and maintenance of such additional meters, and the readings of the amount of water passing through such additional meters will not be used for billing purposes by the Town and no accounts will be rendered by the Town in connection therewith.
- 3.10.11 Where the Town agrees to supply and install two or more water meters for a single water service connection all water meters shall be installed adjacent to each other as close as possible to the place where the water service connection enters the building.
- 3.10.12 All water service connections shall be provided with a master control valve placed immediately inside the outer wall of the premises and on the inlet side of the water meter to enable a customer to shut off the supply of water in case of any emergency or for protection of the building pipes or fixtures or to prevent flooding of the premises or in the event the premises are permanently or temporarily vacated. The master control valve shall be maintained in good mechanical condition by the customer and easily accessible at all time to ensure that it is operable in case of emergency.
- 3.10.13 Where a water meter cannot be installed in a building, it is the customer's responsibility to provide a building to house the water meter on the premises at the customer's expense and in accordance with the Town's General Design and Construction Specifications. The customer shall maintain and repair the meter building at their expense. If the customer, after receiving written notice from the CAO neglects to repair or improve their meter building or vault the CAO may either:
- a) Authorize the necessary repairs be carried out, and the customer will be charged for the costs incurred; or
 - b) Shut off the supply of water until the repairs are carried out to the CAO's satisfaction.

- 3.10.14 A customer shall notify the Town immediately whenever a water meter or remote readout is not operating or if any part of it becomes damaged or broken.
- 3.10.15 If a water meter or remote readout is removed or stolen, the customer shall pay the cost of replacing the water meter including installation. If not paid, the cost may be collected in the same manner as unpaid water rates under this bylaw.
- 3.10.16 All bypass valves on water meter installations must be approved and sealed by the Town and no one shall open such valves except for emergency use.

3.11 Relocation of Meters and/or Service Connections

- 3.11.1 No person shall relocate alter or change any existing water meter without the written approval of the CAO. The customer or their authorized agent may submit plans and specifications for any proposed relocation of a water meter and if approved by the CAO the customer shall pay the entire, cost including any costs incurred by the Town, in making any such relocation, alteration or change.
- 3.11.2 Each building shall be serviced by a maximum of one water service connection of a size sufficient in the opinion of the CAO to deliver an adequate supply of water. Where an application is made for a larger service pipe or for a change in the location of an existing service pipe, a new service pipe will be installed by the Town to the property line only upon all costs thereof being paid in advance by the customer.
- 3.11.3 If the Town is dissatisfied with the location of any water meter due to alterations to a building it may require that the water meter be relocated to a more suitable or convenient location near the point of entry of the water service connection. All costs associated with relocating the water meter, including Town costs, shall be paid for by the customer.
- 3.11.4 When a building that is connected to the water system is to be moved from its existing location or when the water service connection is to be permanently disconnected from the main to any building for any cause, the owner of the land on which the building is situated shall pay to the Town a disconnection fee as set out in the annual Fees, Rates and Charges Bylaw, and such amount shall be paid to Town prior to a demolition or moving permit is issued by the Town.

- 3.11.5 If it is necessary for the Town to permanently disconnect any land or premise from the water system, and if the appropriate disconnection fee set out in the annual Fees, Rates and Charges Bylaw has not been paid, the Town may collect the charge from the owner of the land which has been disconnected from the water system in the same manner as provided for in Section 3.9.5 of this bylaw.

3.12 Meter Readings

- 3.12.1 Each water meter shall be read at such times or intervals as the CAO may designate.
- 3.12.2 If any water meter has, in the opinion of the CAO failed to accurately register the flow of water through the meter since the last reading, the water service charge shall be adjusted in accordance with Section 3.12.3.
- 3.12.3 In the event that the Town is unable to read the water meter due to the inaccessibility of the water meter or for any other reason, the CAO shall estimate and establish the charges based on:
- a) The average consumption of the previous three billing periods; or
 - b) The minimum rate for water supplied to that premises;
- whichever is greater or an estimated volume of similar premises. Payment of an estimated amount shall not excuse the customer from liability for payment of a greater amount which may be owing after a meter is read.
- 3.12.4 In the event a customer refuses, or prevents in any way, to allow a water meter to be read, the CAO may shut off the supply of water to that premises.
- 3.12.5 A customer may request the Town to test a water meter located on the premises. If the water meter is found to be measuring within two percent of accuracy, the customer shall pay the meter testing fee established by the annual Fees, Rates and Charges Bylaw, otherwise the Town shall not charge the customer for the meter test.
- 3.12.6 Where any customer discontinues the use of the water supplied by the Town, or the Town pursuant to this bylaw refuses to continue to supply it, any employee of the Town employed for that purpose may at all reasonable times enter the premises and remove any fittings, apparatus, meters, pipes, remote readouts or other things that are the property of the Town.

3.13 Hydrants

- 3.13.1 No person except those designated by the CAO or members of the Fire Department shall operate or interfere with any hydrant or valve connected with the water system.
- 3.13.2 The CAO shall have the right to enter upon private property to inspect private fire systems and to require the owner to undertake whatever repairs or maintenance or both that may be necessary to provide an operational system. Should the owner refuse or neglect to undertake such repairs or maintenance as required, the Town may enter upon the premises, complete the work, and recover all costs as a debt due to the municipality under this bylaw.
- 3.13.3 Subject to the provisions of the *Alberta Fire Code*, no person shall do anything to obstruct access to a fire hydrant or to interfere with the operation of a fire hydrant.
- 3.13.4 No person shall without the written permission of the CAO authorize the use of water from a fire hydrant for a purpose other than emergency fire protection. The CAO may authorize such other use upon such terms and conditions and subject to payment of such fees as determined by the CAO.
- 3.13.5 Any person who wishes to have a fire hydrant located on Town owned property relocated may apply in writing to the CAO that the hydrant be relocated or raised or lowered in elevation. If the Town considers it feasible to relocate the hydrant, the applicant shall be liable to pay the actual costs of the relocation. Upon approval of the application, the applicant shall pay in advance a deposit equal to the estimated cost as calculated by the Town, and the applicant shall:
- a) In the event the actual costs are greater than the estimated cost, pay to the Town the difference; or
 - b) In the event the actual costs are less than the estimated cost, receive a refund of the difference from the Town.
- 3.13.6 The Town may require that a fire hydrant be installed on private property at the expense of the owner of the property. Fire hydrants located on private property must be approved, installed, used and maintained in accordance with the *Alberta Fire Code* and all Town bylaws.
- 3.13.7 No owner, customer or occupant of a parcel or premises on which a private fire hydrant is situated shall paint such hydrant or allow such hydrant to be painted any colour except the colour approved by the CAO.

- 3.13.8 The CAO may authorize the use of fire hydrants and the use of water from fire hydrants on a temporary basis where no other supply of water can be conveniently obtained.
- 3.13.9 The CAO may, as a condition for the use of fire hydrants and the use of water from fire hydrants, require that the water pass through a hydrant gate valve, a water meter and a Cross Connection Control Device prior to use.

3.14 Cross Connections and Inspection

- 3.14.1 No person shall connect, cause to be connected or permit to remain connected to the water system a cross connection that has not been approved by the CAO.
- 3.14.2 Where the CAO has reason to believe that a cross connection may exist in contravention of Section 3.14.1, the CAO may carry out an inspection:
- a) Upon reasonable notice to the customer, or
 - b) Without notice where the CAO believes that an immediate threat of contamination to the water system exists.

Upon inspection, where the CAO continues to believe that a cross connection exists, the CAO may shut off the water service to that premises:

- c) Upon reasonable notice to the customer, or
- d) Without notice where the CAO believes that such cross connection poses an immediate threat of contamination to the water system.

3.15 Premises-Isolating Devices

- 3.15.1 Every newly constructed, reconstructed or renovated premises, with the exception of dwelling units separately serviced, shall have a premises-isolating device installed on the customer's plumbing system where the service enters the building, or in a location approved in writing by the CAO.
- 3.15.2 Where it is proposed to use water from the water system via a temporary water connection for constructing, altering, or repairing a building, the temporary water connection shall have a premises-isolating device installed on the temporary water connection, or have a cross connection control device installed in a location approved by the CAO.
- 3.15.3 Notwithstanding Section 3.15.2, the CAO may require the installation of a premises-isolating device on any existing customer's plumbing system, at a location approved by the CAO.

3.16 Maintenance and Testing of Cross Connection Control Devices

- 3.16.1 Testable cross connection control devices shall only be tested by persons holding a current certification from an association as approved by the CAO.
- 3.16.2 Every customer shall, at their own expense, have any testable cross connection control device tested:
- a) At the time of installation of the device;
 - b) Annually or as required by the CAO;
 - c) Whenever the device is relocated;
 - d) Whenever the device is cleaned, repaired or overhauled; and
 - e) In the case of a device installed on an irrigation system, at the time the system is turned on at the beginning of each irrigation season.
- 3.16.3 Every customer with a testable cross connection control device installed on their water supply shall retain test report records on-site and available to the CAO upon request.
- 3.16.4 An approved tester must submit a test report with respect to each test to the CAO within 30 days of each test of a testable cross connection control device where the tester:
- a) Discovers that the testable cross connection control device is in good working order; or
 - b) Discovers that the testable cross connection control device is not in good working order but repairs or replaces and re-tests the testable cross connection control device immediately.
- 3.16.9 An approved tester must submit a report in writing to the CAO (in a form approved by the CAO) within two (2) business days of every test of a testable cross connection control device where the tester discovers that a testable cross connection control device is not in good working order and where the tester does not repair or replace that testable cross connection control device immediately.
- 3.16.10 Where a testable cross connection control device fails a test and the customer does not have it replaced immediately by the authorized tester, the customer shall have the testable cross connection control device repaired or replaced and re-tested within five (5) business days.
- 3.16.11 The CAO may issue an order to a customer requiring the installation, testing or repair of a cross connection control device and that order may specify a date and time by which the customer must comply with the terms of the order.

- 3.16.12 Where a customer fails to comply with an order issued pursuant to Section 3.16.11, the CAO may shut off water service until the order has been complied with.
- 3.16.13 All irrigation systems, including residential irrigation systems, shall be installed with a cross connection control device which meets the requirements of the *Safety Codes Act* (R.S.A. 2000, c. S-1) and any regulations passed pursuant to that Act.
- 3.16.14 Notwithstanding Section 3.16.13, all non-residential irrigation systems are also to be in accordance with the Town's General Design and Construction Specifications.

3.17 Water Use Restrictions

- 3.17.1 The Water Shortage Response Plan, as updated, shall be used to guide the CAO in responding to water shortage events.
- 3.17.2 If the CAO believes there is a water shortage event, the CAO may declare water use restrictions.

These actions may become effective immediately and are at the CAO's discretion.

- 3.17.3 All Customers shall follow the Water Use Schedule as defined in Appendix B of this bylaw.
- 3.17.4 Notwithstanding Section 3.17.3 customers when installing new sod or seed must obtain a Water Exemption Permit to use more water than the regular watering schedule permits to establish root growth. Customers must follow the conditions of the permit and the CAO at their discretion may cancel or suspend permits.
- 3.17.5 The CAO's declaration of water use restrictions may apply to:
- a) The entire Town;
 - b) Specific zone(s) or geographic area(s) of the Town; or
 - c) Other specific locations as defined by the CAO.

3.17.6 During a water shortage event in which a declaration is made pursuant to Section 3.17.2, the CAO:

- a) Shall cause public notice indicating the restrictions and the date such restrictions came or will come into effect to be given in any one or more of the following manners:
 - i. circulation of a Town press release;
 - ii. circulation of flyers;
 - iii. notice published at least once in any weekly or daily newspaper circulated within the Town;
 - iv. notice on the Town website;
 - v. notice provided through the customer's water account; and
 - vi. signage;
- b) May declare different restrictions in different areas;
- c) Shall, if changing, the water use restrictions cause a public notice to be given in the manner described in subsection a); and
- d) Shall, after determining that the water shortage event has passed, declare an end to the water use restrictions and shall cause public notice of such declaration to be given in the manner described in subsection a).

3.17.9 The CAO, at its discretion, may grant exceptions to the water use restrictions.

3.18 Access and Enforcement

As a condition of providing a water service and as operational needs dictate, the CAO shall have free access to all parts of a premises property, building or other premises in which water is delivered through a service connection and consumed, at reasonable hours of the day and upon reasonable notice for the purpose of:

- a) Installation, maintenance, repair, and removal of the water system and water service connections;
- b) Installation, testing, repair and removal of water meters or other parts of the water system including water service valves;
- c) Inspection of cross connection control devices or other equipment and works associated with the water system and the customer plumbing system;
- d) Reading of water meters; and
- e) Inspections for compliance with this bylaw.

3.19 General Prohibitions

- 3.19.1 No person shall enter any fenced area, building, or infrastructure which forms part of the water system without the permission of the CAO.
- 3.19.2 No person shall climb upon any structure which forms part of the water system.
- 3.19.3 No person shall:
- a) Damage, destroy, remove or interfere in any way with any pipe, pipe connection, valve, or other appurtenance forming part of the water system;
 - b) Interfere in any way with or cause any interference with the use of the water system by another customer, and without limiting the generality of the foregoing, shall not attach any device to any water pipe which may create noise, a pressure surge, a cross connection, backflow of water, or contamination of the water system;
 - c) Use any boosting device on any water service connection, on the upstream side of a water meter or master control valve for the purpose of increasing water pressure;
 - d) Use any boosting device on any water service connection without the use of an approved cross connection control device located upstream of the boosting device;
 - e) Install branch supply lines, outlets or fixtures on the upstream side of a water meter or master control valve, except for fire protection purposes as approved by the CAO;
 - f) Install branch supply lines, outlets or fixtures on the upstream side of a premises-isolating device;
 - g) Tamper with, break or remove any seal, lock-out device or lock-out tag installed by the Town on any valves or flanged outlets on water service connections or water meters; and
 - h) Attach or connect any pipe to any pipe or main of the water system or in any other way obtain or use any water thereof without the written consent of the CAO.
 - i) No customer shall resell water without the written consent of the CAO.
- 3.19.4 Notwithstanding subsection 3.19.3(f), in the event a person breaks a seal, lock-out device or lock-out tag in order to obtain a supply of water for emergency purposes that person shall notify the CAO within twenty-four (24) hours.
- 3.19.5 No person shall hinder, interrupt or cause to be hindered any employee of the Town or its contractors, servants and agents or workers, in the exercise of any of the powers or duties relating to the water system as authorized or required in this bylaw.

- 3.19.6 No person except someone authorized by the CAO shall operate a water service valve or any other valve or valves in the water system.
- 3.19.8 Any person who wishes to operate a specific water service valve for the purpose of turning on water for testing a new plumbing system or for replacing or renewing a master control valve or for replacing a private water service shall first obtain permission from the CAO.
- 3.19.9 No person shall in any manner whatsoever contaminate the water used in the water system or do any act which causes or results in the contamination of the water in the water system.
- 3.19.10 No person shall use water for outdoor water use when not permitted pursuant to Section 3.17.

3.20 Penalties

Any person or persons guilty of a breach of any of the provisions of this bylaw shall, on Summary Conviction thereof, be liable to a fine of not less than one hundred dollars (\$100.00) nor greater than two thousand five hundred dollars (\$2500.00).

3.21 General

It is the intention of Council that each provision of this bylaw should be considered as being separate and severable from all other provisions. Should any section or provision of this bylaw be found to have been improperly enacted, then such section or provision shall be regarded as being severable from the rest of this bylaw and that the bylaw remaining after such severance shall remain effective and enforceable.

This Bylaw shall come into full force and effect upon third reading, and Bylaws 22-11 and 19-09 are hereby repealed upon this bylaw coming into effect.

READ A FIRST TIME this 23rd day of April, 2018.

READ A SECOND TIME this day of , 2018.

READ A THIRD TIME AND PASSED this day of , 2018.

Mayor

Chief Administrative Officer

Appendix A – Indoor Water Conservation Measures

Residential Plumbing Fixtures	
Residential Toilets	WaterSense labeled single or dual-flush toilets that meet the most current EPA approved <i>WaterSense Specification for Tank-Type Toilets</i> criteria.
Residential Showerheads	WaterSense labeled fixed and hand-held showerheads that meet the most current EPA approved <i>WaterSense Specification for Showerheads</i> criteria. If the showerhead has more than one mode, all modes must meet the maximum flow rate of 7.6 Litres (2.0 US gallons) per minute.
Residential Lavatory Faucets	WaterSense labeled residential lavatory faucets that meet the most current EPA approved <i>High-Efficiency Lavatory Faucet Specification</i> .
Residential Kitchen Faucets	A kitchen faucet with a flow capacity/maximum flow rate of not more than 5.7 Litres (1.5 US gallons) per minute.
Residential Water Conserving Appliances	
Residential Dishwasher	ENERGY STAR certified residential dishwashers.
Residential Clothes Washer	ENERGY STAR certified front and top-load clothes washers.
Residential Plumbing Installation Requirements	
Hot Water Pipe Runs	All hot water pipe runs shall be fully insulated.
	All hot water pipe runs shall be limited to 11.0m (36') or less from hot water heater to any bathroom for all single-detached or semi detached homes; for runs longer than 11.0m (36') a recirculation system is mandatory.
Commercial, Industrial and Institutional Plumbing Fixtures	
Commercial or flushometer-valve toilets	WaterSense labeled single or dual-flush flushometer-valve toilets that meet the most current EPA approved <i>WaterSense Specification for Flushometer-Valve Water Closets</i> criteria.
Commercial Urinals	WaterSense labeled urinals that meet the most current EPA approved <i>WaterSense Specification for Flushing Urinals</i> criteria.
Public Lavatory Faucets	A public lavatory faucet that meets Canadian Standards Association (CSA) B125.1 Plumbing Supply Fittings requirement of a maximum flow rate of 1.8 Litres (0.5 US gallons) per minute
Commercial Showerheads	A WaterSense certified showerhead or a showerhead with a flow capacity/maximum flow rate of not more than 7.6 Litres (2.0 US gallons) per minute. If the showerhead has more than one mode, all modes must meet the maximum flow rate of 7.6 Litres (2.0 US gallons) per minute.

Appendix B – Water Use Schedule

Winter Outdoor Water Use (November 1 to April 30)		
No restrictions in place.		
Summer Outdoor Water Use (May 1 to October 31)		
Odd numbered homes:	Thursdays	Sundays
Outdoor water use	6:00am to 9:00am or 7:00pm to 10:00pm	6:00am to 9:00am or 7:00pm to 10:00pm
Automatic irrigation	2:00am to 5:00am	2:00am to 5:00am
Even numbered homes:	Wednesdays	Saturdays
Outdoor water use	6:00am to 9:00am or 7:00pm to 10:00pm	6:00am to 9:00am or 7:00pm to 10:00pm
Automatic irrigation	2:00am to 5:00am	2:00am to 5:00am
Hand watering may be done at any time when using a watering container or a hose with a spring-loaded trigger spray nozzle to water flower beds, vegetable gardens or for newly planted trees or shrubs until they are established.		
Water Conservation Advisory		
Increased community alerts for water conservation.		
Hand watering may be done at any time when using a watering container or a hose with a spring-loaded trigger spray nozzle to water flower beds, vegetable gardens or for newly planted trees or shrubs until they are established.		
Partial Outdoor Water Ban		
Odd numbered homes:	Thursdays	
Outdoor water use	6:00am to 9:00am or 7:00pm to 10:00pm	
Automatic irrigation	2:00am to 5:00am	
Even numbered homes:	Wednesdays	
Outdoor water use	6:00am to 9:00am or 7:00pm to 10:00pm	
Automatic irrigation	2:00am to 5:00am	
Hand watering may be done at any time when using a watering container or a hose with a spring-loaded trigger spray nozzle to water flower beds, vegetable gardens or for newly planted trees or shrubs until they are established.		
Complete Outdoor Water Ban		
Actions include prohibiting outdoor water use and further actions as deemed necessary by the CAO.		
Hand watering may be done at any time when using a watering container or a hose with a spring-loaded trigger spray nozzle to water flower beds, vegetable gardens or for newly planted trees or shrubs until they are established.		